

**REMARKS:**

This is a full response to the outstanding nonfinal Office Action dated September 15, 2003. Applicant respectfully traverses and requests reconsideration.

All of the original 29 claims remain pending. Claims 1, 2, 4, 9, 12, 17, 20, 23, 25, and 28 were previously amended. There are no claims amended in the current Response. In the September 15, 2003 Office Action, claims 1-29 stand rejected as allegedly being obvious under 35 U.S.C. 103(a).

**I. Summary of the Present Invention**

Applicant Ira A. Gerson has invented a novel method and apparatus for processing an input speech signal during presentation of an output audio signal. At least one embodiment of the operation of Mr. Gerson's invention may be summarized as:

In a wireless communication system, *local* detection of an interrupt indicator *during a voice communication* between a user of a subscriber unit and another person is provided. Responsive to the interrupt indicator, a portion of a speech recognition element is activated to begin processing voice-based commands. The speech recognition element can be implemented at least in part within an infrastructure, such as in a client-server speech recognition arrangement. The interrupt indicator may be provided using an input device forming a part of the subscriber unit, or through the use of a local speech recognizer within the subscriber unit. By *locally detecting interrupt indicators* at the subscriber unit, the present invention more readily enables the use of electronic assistants and similar services in wireless communication environments.

Abstract of the current invention (emphasis added). Applicant provides *local* detection of an *interrupt indicator during a voice communication* between a user of a subscriber unit and another person. Applicant provides local detection of an interrupt indicator during a voice communication between a user of a subscriber unit and another person. The cited combination of references cited in the Office Action fails to disclose, teach, or suggest, either implicitly or explicitly, all elements/features/steps of the claims at issue. The cited combination of references cited in the Office Action fails to disclose, teach, or suggest, either implicitly or explicitly, local detection of an interrupt indicator during a voice communication between a user of a subscriber unit and another person.

## **II. Amendment to the Specification**

Applicant has made an amendment to the paragraph starting on page 17 and carrying over to page 18 of the specification to correct a typographical error. In the first line, "client-sever" has been amended to read "client-server." This change is to correct an editing error and does not add new matter to the specification.

## **III. Prior Art Made of Record**

The prior art made of record has been considered, but is not believed to effect the patentability of the presently pending claims.

## **IV. Response to Rejections under 35 U.S.C. § 103**

Claims 1-6, 8-13, and 15-29 were rejected in the September 15, 2003 Office Action (referred to as "the Office Action" below) under 35 U.S.C. §103(a) as purportedly being obvious over U.S. Patent No. 6,125,284 issued to Moore *et al.* (the *Moore* reference) in view of U.S. Patent No. 6,240,303 issued to Katzur *et al.* (the *Katzur* reference). Claims 7 and 14 were rejected in the September 15, 2003 Office Action under 35 U.S.C. §103(a) as purportedly being obvious over the *Moore* reference in view of the *Katzur* reference, and in view of U.S. Patent No. 5,774,859 issued to Houser *et al.* (the *Houser* reference). Applicant respectfully transverses the rejection noted in the Office Action and requests reconsideration of the patentability of the invention.

According to MPEP § 706.02(j), for a claim to be obvious, there must be a) a suggestion or motivation to combine reference teachings, b) a reasonable expectation of success, and c) the references must teach all of the claim limitations, *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). It is well established at law that, for a proper rejection of a claim under 35 U.S.C. §103 as being obvious based upon a combination of references, the cited combination of references must disclose, teach, or suggest, either implicitly or explicitly, all elements/features/steps of the claim at issue. See, *e.g.*, *In re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988), and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981).

### **a. The Moore Reference**

The *Moore* reference states that it provides:

A communication system comprising at least one mobile handheld telephone handset adapted to communicate via a wireless telephony medium with

a telephone network handling system. The handset comprises input devices to receive input from a user and produce signals dependent thereupon, an onboard processor to adapt speech input to produce a voice transmission signal as part of a telephone conversation with a third party; and an antenna to transmit the voice transmission signal via the wireless telephony medium. The telephone network handling system comprises a receiver to receive the voice transmission signal, and means to forward the voice signal to a third party. The handset further comprises a first processor to carry out a first processing step on selected input signals and produce data dependent thereupon which preserves predetermined information necessary to carry out a remote second processing step, an onboard processor to adapt the data according to a conventional wireless telephony protocol to produce a transmission signal, and an antenna to transmit the transmission signal via the wireless telephony medium to the telephone network handling system. The system further comprises a remote processor adapted to receive and adapt the transmission signal from the telephone network handling system to regenerate the data, and to carry out a second processing step on the data and produce an output dependent thereupon.

Abstract of the *Moore* reference. Neither the first nor the second steps of the *Moore* reference disclose, teach, or suggest, either implicitly or explicitly, the detection of an interrupt indicator.

The *Moore* reference, (a) does not discuss interrupt indicators, (b) teaches away from incorporating additional features in the subscriber unit, (3) appears to apply its teaching indiscriminately to all speech communication rather than awakening particular features of a speech recognition system, and (4) provides no teachings in regard to awakening a speech recognition system through an interrupt, or through any other means.

Besides not discussing or teaching interrupt indicators, the *Moore* reference teaches away from incorporating additional features into the subscriber unit - The term "subscriber unit" including the Personal Digital Assistants (PDAs) and mobile handheld telephone handsets of the *Moore* reference, and the voice communication devices of the Applicants submission. In teaching away from adding features to the subscriber unit, the *Moore* reference states: (1) "[T]he scope of the device [a conventional PDA] is severely restricted due to size, processing capability and power supply limitations" (col. 1, lns. 18-21); (2) The system described in the *Moore* reference provides "potentially unlimited processing power to a mobile handset, *since the remote processor* (which is generally fixed) is not limited by size or power consumption requirements" (col. 1, lns. 56-60); (3) In a first portion of the *Moore* reference cited in the Office Action, "[T]he handset supports the initial stages of voice recognition processing . . . and passes the results, now sufficiently reduced in volume . . . , to a large powerful, multi-user recognition engine *located*

*centrally*” (col. 2, lns. 54-65); (4) The *Moore* reference teaches, “Thus, the actual recognition procedure can be executed *remote from such a handset* and in an appropriate environment that corresponds to specialized test conditions” (col. 7, lns. 60-62); and, (5) In a second portion of the *Moore* reference cited in the Office Action, the *Moore* reference teaches a “Unique analysis and compression process . . . which allows for the required high-quality recognition procedure to be carried out *at the host*” (col. 6, lns. 14-24) (emphasis added). Given the very clear language of the *Moore* reference, a person having ordinary skill in the art would not have found it obvious to incorporate speech recognition functionality into the subscriber unit.

The teachings of the *Moore* reference appear to apply indiscriminately to all speech communication rather than awakening particular features of a speech recognition system. The *Moore* reference does not appear to teach awakening portions of the speech recognition system through any particular speech recognition system. In particular, the *Moore* reference does not appear to teach awakening portions of the speech recognition system through an interrupt detector during a voice communication.

As an indication that the *Moore* reference applies its teachings indiscriminately, the *Moore* reference teaches, in the portions of the *Moore* reference referred to in the Office Action, “The first and second processing steps may be consecutive steps in a speech recognition system.” Col. 2, lns 28-29. There does not appear to be any indication in the *Moore* reference that the first and second steps are in any way related to the presence, or absence, of an interrupt used to awaken the speech recognition system.

The *Moore* reference appears to suffer from disadvantages that are addressed by the Applicant. For example, the *Moore* reference downplays the response times associated with the *Moore* teachings by stating:

[S]uch variations do not present a significant problem for speech recognition purposes in which mean delays of up to five seconds are generally considered acceptable. In any case, since phrases can be used as input instructions for information retrieval, greater delays, even of up to ten seconds, are regarded as reasonable. Primarily, a handset owner is provided with access to a speech recognition capability that would not be otherwise available from a handset, or from a laptop PC, and would be particularly and prohibitively expensive in a dedicated desktop machine.

The *Moore* reference, col. 7, ln. 65 through col. 8, ln. 10.

The September 15, 2003 Office Action, acknowledges that the *Moore* reference: (1) “[L]acks a teaching of the local detector detecting the presence of an indicator during speech that activates the speech recognition processing;” and (2) “[L]acks a teaching of providing an indication to the user that the speech recognition is working.”

b. The *Katzur* Reference

The *Katzur* reference states that it provides:

A voice recognition system having an *enhanced button* that allows a driver to reduce his risk of being involved in an accident while operating a vehicle and using a mobile telephone. The present invention is a mobile telephone having a voice recognition system which receives and acts on voice commands. Once the voice recognition system is activated, the mobile telephone can be operated in a hands free mode. *The voice recognition system is used to automatically perform the same functions as a keypad.* Since a driver can use just the voice recognition system, a keypad is no longer necessary. A mobile telephone equipped with a voice recognition system of the present invention *requires only two buttons*, a power button and *a voice recognition button*. To provide further safety, the voice recognition button is implemented to distinguish the voice recognition button from the other buttons to provide easier activation of the voice recognition system. The present invention can also be applied to other types of telephones and can be especially useful to a vision impaired person.

Abstract of the *Katzur* reference (emphasis added). The *Kazur* reference appears to only describe one type of local activation of the voice recognition system – the use of the voice recognition button. The *Katzur* reference does not appear to teach any type of local interrupt detection through signal analysis.

The Office Action states that the *Katzur* reference “teaches a speech recognition arrangement with *a detector for detecting an indicator during speech* that activates the speech recognition function. (emphasis added). The Office Action does not specifically state that the “detector” referred to in the Office Action is the “voice recognition button” of the *Katzur* reference. However, the “voice recognition button” is referred to in the portions of the *Katzur* reference cited in the Office Action.

The Office Action does not state, and the *Katzur* reference does not teach, that the speech recognition function described as occurring during speech is accomplished locally. And, the *Katzur* reference does not disclose that the local interrupt, presumably the voice activation button, is ever activated during speech. The one example in which the *Katzur* reference discusses the recognition of a voice command (col. 5, lns. 19-30), the *Katzur* reference does not

indicate whether the recognition is being accomplished locally or remotely. In addition, in the one example, the voice recognition button, does not appear to be employed in the speech recognition function. In regard to the one example, the *Katzur* reference describes the functions of that example as being accomplished through “voice commands” as opposed to a “voice activation button.” Id.

The *Katzur* reference includes a FIG. 1 that is described as “[A] mobile telephone having only a power button and a voice recognition button is shown.” Though the *Katzur* reference does not preclude the operation of the voice recognition system during voice communication, and *Katzur* allows for the mobile telephone to have additional buttons, the fact that the voice recognition system button may have to be pressed in order to use a phone having only two buttons is an indication that the voice activation button of *Katzur* does not teach “a detector for locally recognizing presence of an interrupt indicator *during a voice communication.*” (emphasis added)

c. The Houser Reference

The *Houser* reference states that it provides:

A system for controlling a device such as a television and for controlling access to broadcast information such as video, audio, and/or text information is disclosed. The system includes a first receiver for receiving utterances of a speaker, a second receiver for receiving vocabulary data defining a vocabulary of utterances, and a processor for executing a speech recognition algorithm using the received vocabulary data to recognize the utterances of the speaker and for controlling the device and the access to the broadcast information in accordance with the recognized utterances of the speaker.

Abstract of the *Houser* reference (emphasis added).

The Office Action states that *Houser* teaches “providing an indication to the user that the speech recognition is working.” (emphasis added). The *Houser* reference appears to disclose a system in which menus appear in order to prompt a user to enter voice commands and the menus also appear as a result of voice commands. The appearance of the menus of the *Houser* reference do not appear to be directly and exclusively correlated with the use of the voice commands. Therefore, the appearance of the menus is not an indication that the “speech recognition is working.” For example, a user may interact with the menus of the *Houser* reference through “any or all of the following selecting techniques” preceding a listing of selecting techniques that includes “arrow keys on the remote control,” a spoken command, a

select key, and a numeric key. Col. 25, lns 4-17. Therefore, a user may not rely upon the appearance of the menus to indicate the speech recognition system is working. In regard to the selection through spoken command, the *Houser* reference does appear to disclose any method or system for indicating to the user that the speech recognition system is working prior to the issuance of the spoken command.

d. In Regard to Independent Claim 9, the Combination of the *Moore* and *Katzur* References Fails to Disclose, Teach, or Suggest all of the Applicant's Claim Limitations

The Applicant generally addresses the claims below in the order addressed in the Office Action. Applicant's independent claim 9 identifies an embodiment of his invention as:

A subscriber unit that wirelessly communicates with an infrastructure, the subscriber unit comprising:

a detector for *locally recognizing* presence of *an interrupt indicator during a voice communication* between the subscriber unit and another person via the infrastructure; and

a portion of a speech recognition element that takes as input *the presence of the interrupt indicator* and, being activated by the presence of the interrupt indicator, begins processing voice-based commands *during the voice communication*, wherein the speech recognition element is implemented at least in part within the infrastructure. (emphasis added)

Independent claim 9 is allowable for at least the reason that the combination of the *Moore* reference in view of the *Katzur* reference does not disclose, teach, or suggest the features that are highlighted in claim 9 above. More specifically, the references cited in the Office Action do not disclose: (1) a subscriber unit comprising a detector for locally recognizing presence of an interrupt indicator during a voice communication; and (2) a portion of a speech recognition element that takes as input the presence of an interrupt indicator and . . . begins processing voice-based commands during the voice communication.

In rejecting claim 9, the Office Action states:

Moore teaches a system comprising a subscriber unit in wireless communication with an infrastructure, the subscriber unit comprising: a portion of a speech recognition element that *when activated, begins processing* voice based commands, wherein the speech recognition element is implemented by a server within the infrastructure. (emphasis added)

The Office Action cites to FIG. 1, item 35; col. 2, lns. 34-65; and col. 6, lns. 4-25. The Office Action does not claim that the *Moore* reference teaches or describes: (a) an indicator; (b) a local detector; or a (c) detector detecting the/e presence of an indicator during speech.

The terms “when activated” and “begins processing” in the Office Action, imply that something triggers the “portion of a speech recognition element” to process the “voice based commands.” However, the Office action fails to indicate the trigger for the “portion of the speech recognition element.”

The *Moore* reference does not appear to disclose a local device that operates in a different manner based on the presence or absence of an interrupt indicator. Instead, the *Moore* reference appears to teach a network based speech recognition system using a subscriber unit that compresses the signal prior to delivery to the infrastructure regardless of the presence or absence of an interrupt indicator. Based on the teaching of the *Moore* reference as cited above, it appears that the *Moore* reference teaches the recognition of the activation of the voice recognition button at the remote location. In contrast, Applicant discloses a subscriber unit that includes locally detecting an interrupt detector and a speech recognition element that employs the interrupt indicator.

In rejecting claim 9, the Office Action further states:

Moore lacks a teaching of the local detector detecting the presence of an indicator during speech that activates the speech recognition processing. Katzur teaches a speech recognition arrangement with a detector for detecting an indicator during speech that activates the speech recognition function.

The Office Action cites to the *Katzur* reference, col. 2, lns. 32-51; and col. 5, lns. 15-40.

The *Katzur* reference does disclose a “voice recognition button.” Col. 2, ln. 32. And, the *Katzur* reference mentions the “possibility of a false command which can occur during a telephone conversation.” Col. 5, lns 21-23. However, the *Katzur* reference does not appear to teach the use of the “voice recognition button” during speech, and the *Katzur* reference does not appear to teach the recognition of any interrupt locally during a voice communication. The Office Action seems to combine two distinct operating methods mentioned in *Katzur* and extracts a benefit that would potentially result if there were some way to combine the distinct operating methods mentioned in the *Katzur* reference. However, the *Katzur* reference neither discloses the potential benefit, nor does it disclose any system or method that combines those distinct operating methods to achieve the potential benefit.

In rejecting claim 9, the Office Action still further states:

It would have been obvious to one of ordinary skill in the art to modify the subscriber unit of Moore to have the local detector activate the speech recognition as taught by Katzur in order to allow the speech recognition function to be



activated when needed, providing for hands free operation of the mobile is a car phone.

The Office Action cites the *Katzur* reference col. 1, ln. 62 through col. 2, ln. 60.

In contrast to the language quoted above from the Office Action, as detailed in subsection IV(a) above, the *Moore* reference clearly teaches away from incorporating additional features into the subscriber unit and the *Katzur* reference also appears to teach the processing of the signal at the remote location.

The combination of the *Moore* reference in view of the *Katzur* reference does not disclose, teach, or suggest, at least: (1) a subscriber unit comprising a detector for locally recognizing presence of an interrupt indicator during a voice communication; and (2) a portion of a speech recognition element that takes as input the presence of an interrupt indicator and . . . begins processing voice-based commands during the voice communication. Consequently, Applicant respectfully requests the withdrawal of the rejection of independent claim 9.

e. In Regard to Claim 10, 11, and 13-16 the Combination of the *Moore* and *Katzur* References Fails to Disclose, Teach, or Suggest all of the Applicant's Claim Limitations

Because independent claim 9 is allowable over the prior art of record, its dependent claims 10-16 are allowable as a matter of law, for at least the reason that these dependent claims contain all the elements of their respective independent claim 9. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Additionally and notwithstanding the foregoing allowability of these dependent claims, the dependent claims recite further features and/or combinations of features (as is apparent by examination of the claims) that are patentably distinct from the prior art of record. Consequently, Applicant respectfully requests the withdrawal of the rejection of dependent claims 10-16.

f. In Regard to Claim 12 the Combination of the *Moore* and *Katzur* References Fails to Disclose, Teach, or Suggest all of the Applicant's Claim Limitations

Applicant's dependent claim 12 identifies an embodiment of his invention as:

The subscriber unit of claim 9, wherein the detector comprises *a local speech recognizer that monitors the voice communication for at least one predetermined utterance* and that *recognizes presence of the interrupt indicator upon detecting one of the at least one predetermined utterance.* (emphasis added)

Dependent claim 12 is allowable for at least the reason that the combination of the *Moore* reference in view of the *Katzur* reference does not disclose, teach, or suggest the features that are highlighted in claim 12 above. More specifically, the references cited in the Office Action do not disclose, at the very least: (1) a subscriber unit comprising a detector for locally recognizing presence of an interrupt indicator during a voice communication (independent claim 9); and (2) a portion of a speech recognition element that takes as input the presence of an interrupt indicator and . . . begins processing voice-based commands during the voice communication (independent claim 9); (3) a subscriber unit including a local speech recognizer; (4) a local speech recognizer that monitors for at least one predetermined utterance; and (5) a subscriber unit that recognizes the presence of an interrupt indicator upon detecting the presence of at least one predetermined utterance.

The *Moore* reference teaches away from incorporating such features in the subscriber unit. The *Moore* reference states, “[T]he actual recognition procedure can be executed remote from such a handset and in an appropriate environment that corresponds to specialized conditions.” Col. 7, lns. 60-62. The *Katzur* reference does not teach or disclose performing any speech recognition in the subscriber unit.

In addition, because independent claim 9 is allowable over the prior art of record, its dependent claim 12 is allowable as a matter of law, for at least the reason that dependent claim 12 contains all the elements of its respective independent claim 9. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Consequently, Applicant respectfully requests the withdrawal of the rejection of dependent claim 12.

g. In Regard to Independent Claim 1, the Combination of the *Moore* and *Katzur* References Fails to Disclose, Teach, or Suggest all of the Applicant’s Claim Limitations

Applicant’s independent claim 1 identifies an embodiment of his invention as:

In a subscriber unit capable of wireless communication with an infrastructure thereby providing voice communications between a user of the subscriber unit and another person via the infrastructure, the infrastructure comprising a speech recognition server, a method comprising steps of:

engaging in a voice communication between the user of the subscriber unit and the other person via the infrastructure;

*locally recognizing, during the voice conversation, presence of an interrupt indicator; and*

*activating during the voice conversation, in response to the presence of the interrupt indicator, a portion of a speech recognition element to begin processing voice-based commands*, wherein the speech recognition element is implemented at least in part within the infrastructure. (emphasis added)

Independent claim 1 is allowable for at least the reason that the combination of the *Moore* reference in view of the *Katzur* reference does not disclose, teach, or suggest the steps that are highlighted in claim 9 above. More specifically, the references cited in the Office Action do not disclose: (1) locally recognizing, during the voice conversation, presence of an interrupt indicator; and (2) activating during the voice conversation, in response to the presence of the interrupt indicator, a portion of a speech recognition element to begin processing voice-based commands.

In rejecting claim 1, the Office Action states in full, “[T]he system of Moore in view of Katzur would perform the claimed steps.” Applicant, in light of the discussion above, states that the characterization of claim 1 in regard to the system of the *Moore* reference in view of the *Katzur* reference is inaccurate.

The *Moore* reference does not appear to disclose a method in a subscriber unit that operates in a different manner based on the presence or absence of an interrupt indicator. Instead, the *Moore* reference appears to teach a network based speech recognition system using a subscriber unit that compresses the signal prior to delivery to the infrastructure regardless of the presence or absence of an interrupt indicator. Based on the teaching of the *Moore* reference as cited above, it appears that the *Moore* reference teaches the recognition of the activation of the voice recognition button at the remote location. In contrast, Applicant discloses a method of operating a subscriber unit that includes locally detecting an interrupt detector and a speech recognition element that employs the interrupt indicator.

Consequently, Applicant respectfully requests the withdrawal of the rejection of independent claim 1.

h. In Regard to Claims 2 and 3 the Combination of the *Moore* and *Katzur* References Fails to Disclose, Teach, or Suggest all of the Applicant’s Claim Limitations

Applicant’s dependent claim 2 identifies an embodiment of his invention as:

The method of claim 1, wherein *the step of locally recognizing* further comprises a step of:

activating an input device forming a part of the subscriber unit to provide the interrupt indicator. (emphasis added)

Applicant's dependent claim 3 identifies an embodiment of his invention as:

The method claim 2, wherein the step of activating the input device comprises a step of activating any of a button, a selector *and a menu-driven input device*. (emphasis added)

Dependent claims 2 and 3 and are allowable for at least the reason that the combination of the *Moore* reference in view of the *Katzur* reference does not disclose, teach, or suggest the features that are highlighted in claims 2 and 3 above. More specifically, the references cited in the Office Action do not disclose, at the very least: (1) locally recognizing, during the voice conversation, presence of an interrupt indicator (independent claim 1); (2) activating during the voice conversation, in response to the presence of the interrupt indicator, a portion of a speech recognition element to begin processing voice-based commands (independent claim 1); (3) the step of locally recognizing; and (4) wherein the step of activating the input device comprises a step of activating any of a button, a selector and a menu-driven input device.

In rejecting claims 2 and 3, the Office Action states, *Katzur's* activation can be by voice or input to a menu button." The Office Action cites to the *Katzur* reference, col. 2, lns. 32-51; and col. 5, lns. 15-40.

In Contrast to the argument put forth in the Office Action, in the one example in which the *Katzur* reference discusses the recognition of a voice command (col. 5, lns. 19-30), the *Katzur* reference does not indicate whether the recognition is being accomplished locally or remotely. In addition, in the one example, the voice recognition button, does not appear to be employed in the speech recognition function. In regard to the one example, the *Katzur* reference describes the functions of that example as being accomplished through "voice commands" as opposed to a "voice activation button." *Id.*

The *Katzur* reference does not appear to teach the use of the "voice recognition button" during speech, and the *Katzur* reference does not appear to teach the recognition of any interrupt locally during a voice communication. The Office Action seems to combine two distinct operating methods mentioned in the *Katzur* reference and extracts a benefit that would potentially result if there were some way to combine the distinct operating methods mentioned in the *Katzur* reference. However, the *Katzur* reference neither discloses the potential benefit, nor

does it disclose any system or method that combines those distinct operating methods to achieve the potential benefit.

In addition, because independent claim 1 is allowable over the prior art of record, its dependent claims 2 and 3 are allowable as a matter of law, for at least the reason that dependent claims 2 and 3 contain all the elements of independent claim 1. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Consequently, Applicant respectfully requests the withdrawal of the rejection of dependent claims 2 and 3.

i. In Regard to Claim 4 the Combination of the *Moore* and *Katzur* References Fails to Disclose, Teach, or Suggest all of the Applicant's Claim Limitations

Applicant's dependent claim 4 identifies an embodiment of his invention as:

A method of claim 1, wherein the step of locally detecting further comprises the steps of:

*locally monitoring the voice communication*, via a local speech recognizer implemented within the subscriber unit, *for at least one predetermined utterance*; and

providing the interrupt indicator upon recognizing one of the at least one predetermined utterance. (emphasis added)

Dependent claim 4 is allowable for at least the reason that the combination of the *Moore* reference in view of the *Katzur* reference does not disclose, teach, or suggest the features that are highlighted in claim 4 above. More specifically, the references cited in the Office Action do not disclose, at the very least: (1) locally recognizing, during the voice conversation, presence of an interrupt indicator (independent claim 1); (2) activating during the voice conversation, in response to the presence of the interrupt indicator, a portion of a speech recognition element to begin processing voice-based commands (independent claim 1); and (3) *locally monitoring the voice communication . . . for at least one predetermined utterance*

The *Moore* reference teaches away from implementing such steps in the subscriber unit. The *Moore* reference states, "[T]he actual recognition procedure can be executed remote from such a handset and in an appropriate environment that corresponds to specialized conditions." Col. 7, lns. 60-62. The *Katzur* reference does not teach or disclose performing any speech recognition in the subscriber unit.

In addition, because independent claim 1 is allowable over the prior art of record, its dependent claim 4 is allowable as a matter of law, for at least the reason that dependent claim 4 contains all the elements of its respective independent claim 1. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Consequently, Applicant respectfully requests the withdrawal of the rejection of dependent claim 4.

j. In Regard to Claims 5 and 6 the Combination of the *Moore* and *Katzur* References Fails to Disclose, Teach, or Suggest all of the Applicant's Claim Limitations

Because independent claim 1 is allowable over the prior art of record, its dependent claims 2-8 are allowable as a matter of law, for at least the reason that these dependent claims contain all the elements of their respective independent claim 1. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Additionally and notwithstanding the foregoing allowability of these dependent claims, the dependent claims recite further features and/or combinations of features (as is apparent by examination of the claims) that are patentably distinct from the prior art of record. Consequently, Applicant respectfully requests the withdrawal of the rejection of dependent claims 2-8.

k. In Regard to Claims 7 the Combination of the *Moore* and *Katzur* References Fails to Disclose, Teach, or Suggest all of the Applicant's Claim Limitations

Applicant's dependent claim 7 identifies an embodiment of his invention as:

The method of claim 1, further comprising a step of: *providing*, to the user, *an indication that the portion of the speech recognition element has been activated*. (emphasis added)

Dependent claim 7 is allowable for at least the reason that the combination of the *Moore* reference in view of the *Katzur* reference does not disclose, teach, or suggest the features that are highlighted in claim 14 above. More specifically, the references cited in the Office Action do not disclose, at the very least: (1) locally recognizing, during the voice conversation, presence of an interrupt indicator (independent claim 1); (2) activating during the voice conversation, in response to the presence of the interrupt indicator, a portion of a speech recognition element to begin processing voice-based commands (independent claim 1); and (3) providing an indication that the portion of the speech recognition element has been activated.

In rejecting claim 7, the Office Action further states:

As to claim 7, Moore in view of Katur lacks a teaching of providing an indication to the user that the speech recognition is working. Houser teaches providing an indication to the user that the speech recognition is activated.

The Office Action cites to the *Houser* reference, col. 24, ln. 63 through col. 25, ln. 32.

The Office Action further states:

It would have been obvious to one of ordinary skill in the art to further modify Moore in view of Katur to provide the indication as taught by Houser in order to ensure that a user was aware that the recognition function was active.

In contrast to the arguments in the Office Action, the *Moore* reference teaches away from incorporating such features in the subscriber unit. The *Moore* reference states, “[T]he actual recognition procedure can be executed remote from such a handset and in an appropriate environment that corresponds to specialized conditions.” Col. 7, lns. 60-62. The *Katur* reference does not teach or disclose performing any speech recognition in the subscriber unit.

In addition, if independent claim 1 is allowable over the prior art of record, then its dependent claim 7 is allowable as a matter of law, because dependent claim 7 contains all features, elements, or steps of independent claim 1. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Consequently, the combination of the *Moore* reference in view of the *Katur* reference and further in view of the *Houser* reference does not render claim 7 obvious, and the rejection should be withdrawn.

1. In Regard to Independent Claim 17, the Combination of the *Moore* and *Katur* References Fails to Disclose, Teach, or Suggest all of the Applicant’s Claim Limitations

Applicant’s independent claim 17 identifies an embodiment of his invention as:

A wireless communication system comprising at least one subscriber unit in wireless communication with an infrastructure, the wireless communication system comprising:

within each of the at least one subscriber unit:

a detector for *locally recognizing* presence of *an interrupt indicator during a voice communication* between one of the at least one subscriber unit and the infrastructure;

a speech recognition client that takes as input *the presence of the interrupt indicator* and, being activated by the presence of the interrupt indicator, begins processing voice-based commands *during the voice communication*; and

a speech recognition server, within the infrastructure, that cooperates with the speech recognition client to provide a speech recognition element. (emphasis added)

Independent claim 17 is allowable for at least the reason that the combination of the *Moore* reference in view of the *Katzur* reference does not disclose, teach, or suggest the features that are highlighted in claim 17 above. Consequently, Applicant respectfully requests the withdrawal of the rejection of independent claim 9.

m. In Regard to Claims 18 and 19 the Combination of the *Moore* and *Katzur* References Fails to Disclose, Teach, or Suggest all of the Applicant's Claim Limitations

Because independent claim 17 is allowable over the prior art of record, its dependent claims 18 and 19 are allowable as a matter of law, for at least the reason that these dependent claims contain all the elements of their respective independent claim 17. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Additionally and notwithstanding the foregoing allowability of these dependent claims, the dependent claims recite further features and/or combinations of features (as is apparent by examination of the claims) that are patentably distinct from the prior art of record. Consequently, Applicant respectfully requests the withdrawal of the rejection of dependent claims 18 and 19.

1. In Regard to Independent Claim 20, the Combination of the *Moore* and *Katzur* References Fails to Disclose, Teach, or Suggest all of the Applicant's Claim Limitations

Applicant's independent claim 20 identifies an embodiment of his invention as:

In a speech recognition server forming a part of an infrastructure and a part of a speech recognition element, the infrastructure in wireless communication with at least one subscriber unit, a method comprising steps of:

receiving, from a subscriber unit of the at least one subscriber unit, speech information provided *in response to local recognition, at the subscriber unit, of presence of an interrupt indicator during a voice conversation* with another person; and

performing speech recognition processing based on the speech information *during the voice conversation.* (emphasis added)

Independent claim 20 is allowable for at least the reason that the combination of the *Moore* reference in view of the *Katzur* reference does not disclose, teach, or suggest the features that are highlighted in claim 20 above. Consequently, Applicant respectfully requests the withdrawal of the rejection of independent claim 20.

m. In Regard to Claims 21-24 the Combination of the *Moore* and *Katzur* References Fails to Disclose, Teach, or Suggest all of the Applicant's Claim Limitations



Because independent claim 20 is allowable over the prior art of record, its dependent claims 21-24 are allowable as a matter of law, for at least the reason that these dependent claims contain all the elements of their respective independent claim 20. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Additionally and notwithstanding the foregoing allowability of these dependent claims, the dependent claims recite further features and/or combinations of features (as is apparent by examination of the claims) that are patentably distinct from the prior art of record. Consequently, Applicant respectfully requests the withdrawal of the rejection of dependent claims 21-24.

l. In Regard to Independent Claim 25, the Combination of the *Moore* and *Katzur* References Fails to Disclose, Teach, or Suggest all of the Applicant's Claim Limitations

Applicant's independent claim 25 identifies an embodiment of his invention as:

A speech recognition server for use in an infrastructure that is in wireless communication with at least one subscriber unit, the speech recognition server comprising:

a receiver that takes as input speech information received from a subscriber unit of the at least one subscriber unit *in response to local recognition, at the subscriber unit, of presence of an interrupt indicator during a voice communication* with another person; and

a speech recognition analyzer that performs speech recognition processing based on the speech information *during the voice communication*. (emphasis added)

Independent claim 25 is allowable for at least the reason that the combination of the *Moore* reference in view of the *Katzur* reference does not disclose, teach, or suggest the features that are highlighted in claim 25 above. Consequently, Applicant respectfully requests the withdrawal of the rejection of independent claim 25.

m. In Regard to Claims 26-29 the Combination of the *Moore* and *Katzur* References Fails to Disclose, Teach, or Suggest all of the Applicant's Claim Limitations

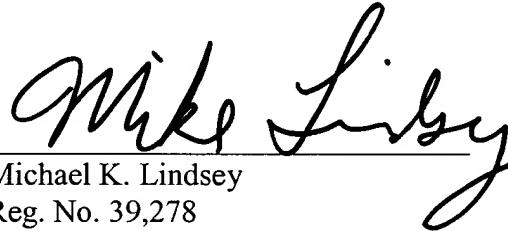
Because independent claim 25 is allowable over the prior art of record, its dependent claims 26-29 are allowable as a matter of law, for at least the reason that these dependent claims contain all the elements of their respective independent claim 25. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Additionally and notwithstanding the foregoing allowability of these dependent claims, the dependent claims recite further features and/or combinations of features (as is apparent by examination of the claims) that are patentably distinct from the prior art of

record. Consequently, Applicant respectfully requests the withdrawal of the rejection of dependent claims 26-29.

**V. Conclusion**

In light of the forgoing remarks, and for at least the reasons set forth above, Applicant respectfully submits that all rejections have been traversed or rendered moot and that now pending claims 1-29 are in condition for allowance. Accordingly, Applicant requests that the rejections of claims 1-29 under 35 U.S.C. § 103 be withdrawn. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (312) 595-1239.

Respectfully submitted,



Michael K. Lindsey  
Reg. No. 39,278  
Customer No. 22369  
Attorney For Applicant,  
FastMobile, Inc.

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Howrey Simon Arnold & White, LLP  
321 North Clark Street, Suite 3400  
Chicago, Illinois 60610  
(312) 595-1239 (Tel)  
(312) 595-2250 (Fax)